

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

&

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 10TH JULY 2007 / 19TH ASHADHA 1929

WA.No. 1750 of 2005(E)

AGAINST THE JUDGEMENT IN WPC.22611/2003 Dated 20/05/2005

.....

APPELLANTS:

1. T.R.JOHNY, THEKKANATH HOUSE,
CHENGAMANAD P.O., ALUVA, ERNAKULAM-683 578.
2. RAJU.K.GEORGE, KANATHUKKATTIL HOUSE,
CHENGAMANAD P.O., ALUVA,
ERNAKULAM-683 678.
3. MODI MATHEW, THURUTHILKKAD,
VADAYAR P.O., KOTTAYAM DISTRICT.
4. PHINO JOSEPH, KOMARATHUM PARAMBIL,
CHANGALAM SOUTH P.O., KOTTAYAM-686 022.
5. SEEMA PUTHIYADAVAN, MUTTATH HOUSE,
EDATTUMMEL, THIKKOORPOOR P.O.,
KASARAGOD.
6. SANTHOSH SATHEESAN, DEVASMUKARI HOUSE,
THURUTHUMMA CHAMBU, CHAMBU P.O.,
VAIKOM.

BY ADV. SMT.C.V.BINDU

WA 1750/05

RESPONDENTS:

1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY TO HEALTH AND FAMILY WELFARE
(C) DEPARTMENT, GOVERNMENT OF KERALA,
THIRUVANANTHAPURAM.
2. THE DIRECTOR OF HEALTH SERVICES,
THIRUVANANTHAPURAM.
3. THE DISTRICT MEDICAL OFFICER,
KOTTAYAM.

BY GOVERNMENT PLEADER SRI. SANDESH RAJA.

THIS WRIT APPEAL HAVING BEEN FINALLY HEARD
ON 10/07/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

K.S.Radhakrishnan

&

Antony Dominic, JJ.

=====

W.A.No.1750 of 2005

=====

Dated this the 10th day of July, 2007.

JUDGMENT

Radhakrishnan,J.

Writ Petition was preferred by the appellants seeking a writ of certiorari to quash Exts.P6 and P8 orders and also for a mandamus directing the Government to recognise the diploma obtained by the petitioners in Public Health and Sanitation Technology conducted by the Board of Examinations, the College of Medical Technology, Ongole in Andhra Pradesh for employment in the Department of Health, Government of Kerala. Earlier the petitioner's request was rejected, which gave rise to O.P.No.30336 of 2001. Learned single Judge disposed of the Original Petition directing the Government to state the reasons for rejection of the request. Consequently, Government passed Ext.P8 order dated 17/6/2002. It appears from the order that the Government had rejected the said request on the basis of the report submitted by the State Level Expert Committee consisting of experts. The State Level Expert Committee after detailed discussions

came to the conclusion that the course conducted by the College of Medical Technology, Ongole, by syllabus, appears to be equal to the multi purpose training course of Kerala but this event alone cannot be treated as a criteria for comparing the quality and standard of the course. Recommendation of the Committee was considered by the Government and passed Ext.P8 order. We find no illegality in Ext.P8 order. However, it is always open to the Government to change their view on the basis of the new material and changed circumstances.

With the above observation, this Writ Appeal is dismissed.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.